IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

Crl.Rev.Pet.No. 2814 of 2007()

CRA.532/2005 of ADDL. SESSIONS COURTS FAST TRACK (ADHOC), MAVELIKKARA
CC.178/2005 of JUDL.MAGISTRATE OF FIRST CLASS-I, HARIPAD

.....

REVN. PETITIONER: APPELLANT/ACCUSED

SELVARAJ, PROPRIETOR, VAZHAKKALIL
JEWELLERS, VAZHAKKALIL HOUSE, POTHAPPALLY NORTH,
KUMARAPURAM.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SMT.KAVITHA GANGADHARAN

RESPONDENTS: RESPONDENTS/COMPLAINANT AND STATE

---

1. VISWANATHAN, THRASSERIL PUTHENVEEDU,
MUTTOM P.O., HARIPAD.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 27/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.2814 of 2007

Dated this the 27th day of July, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a compensation of Rs.3,10,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for three months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. Revision petitioner is granted six months' time from today onwards to remit the amount of compensation. He shall appear before the Judicial First Class Magistrate Court-I, Haripad on 28.1.2008 to receive the sentence. Non bailable warrant pending, if any, shall be kept in abeyance till 28.1.2008.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl